

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MOHAMMAD RAFIQ,

Plaintiff,

v.

WILSHIRE CREDIT CORP.,
BAC HOME LOANS, AMY KOLTZ,
and BANK OF AMERICA,

Defendant.

ORDER

10-cv-752-wmc

This is a civil action for monetary relief in which plaintiff is proceeding pro se. Plaintiff has paid the \$350 fee for filing this case.

The next step is for plaintiff to serve the complaint on the defendants. Under Fed. R. Civ. P. 4(m), he has 120 days after filing a complaint in which to serve the defendants. However, that is an outside limit with few exceptions. This court requires that plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve the complaint on the defendants well before the deadline. To guide plaintiff in the procedure, I am enclosing memorandums describing the procedure for serving a complaint on individuals, and for serving a complaint on a corporation, partnership or unincorporated association together with notice of lawsuit and waiver of service of summons forms.

Also, plaintiff has filed a motion to stay the case “until appropriate time is established to consort w/individuals to arrange a suitable relief effort w/appointees in said field of interest.” I will deny this motion without prejudice because it is incomprehensible. If plaintiff is seeking appointment of counsel, it is far too early in the case to determine whether appointed counsel

is necessary (nor is it clear whether plaintiff is indigent). If he wants something else, he will have to clarify his request.

ORDER

IT IS ORDERED that

1. Plaintiff should serve the complaint on the defendants promptly. He should file proof of service of the complaint as soon as he has served each defendant. (“Proof of service” is explained in the attachments.) Not later than February 16, 2011, plaintiff is to file proof of service of the complaint on the defendants or tell the court why he cannot do so. If plaintiff does not file proof of service or explain why he could not serve the defendants, I will order plaintiff to explain why this case should not be dismissed for lack of prosecution.

2. Plaintiff’s motion to stay the case, dkt. 4, is DENIED.

Entered this 17th day of December, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge